

## REMARKS

Claims 1-27 remain pending in this application. Claims 1-3, 9-14, 20, 21 and 26 were rejected, claims 22-25 were allowed, and claims 4-8, 15-19 were objected. Claims ... have been amended. The abstract has been amended. No new matter is added to the claims, the specification or the drawings with any amendment presented herein.

It is believed that the remarks laid out herein below attend to all rejections and further issues raised in the pending office action dated 07 April 2005.

### Response to Remarks

#### **Specification**

The abstract has been amended to avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," ect.

#### **Claim Rejections – 35 U.S.C. § 102**

Claims 1-3, 10-14 and 21 were rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by U.S. Patent No. 6,812,958 ("Silvester"). Respectfully, Applicant disagrees and traverses the rejection.

To anticipate a Claim, Silvester must teach every element of the Claim and "the identical invention must be shown in as complete detail as contained in the ... Claim." MPEP 2131 citing *Verdegaal Bros. V. Union Oil Co. of California*, 814 F.2d 628, 2 USPQ2d 1051 (Fed. Cir. 1987) and *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 9 USPQ2d 1913 (Fed. Cir. 1989). Applicant respectfully submits that differences exist in the Claimed elements between Silvester and Applicant's Claimed invention such that Silvester cannot be said to anticipate Applicant's invention. More specifically, Silvester does not teach every element of Applicant's Claims 1-3, 10-14 and 21, as demonstrated herein below.

Amended claim 1 includes the following features:

- a housing portion;
- at least one arm portion coupled to the housing portion wherein the at least one arm portion is capable of being moved between a retracted position and a deployed position; and
- a plurality of cameras coupled to the at least one arm portion.

The claimed invention includes a plurality of cameras coupled to the at least one arm portion. Support for this claim can be found in the specification on page 8, lines 6-9, which states "The apparatus 200 further comprises a plurality of digital cameras. In an embodiment, two cameras 204, 206 are coupled to the first exterior arm 202 and two cameras 212, 216 are coupled to the second exterior arm 214.

Silvester provides a portable computer in which a digital camera is mountable within a housing of the computer for translation into and out of the housing. The camera may reciprocate from a first position concealed within the housing to a second position extending outwardly from said housing.

Silvester does not teach attaching a plurality of cameras to at least one arm portion coupled to the housing portion wherein the at least one arm portion is capable of being moved between a retracted position and a deployed position.

Claim 1 is patentable over the cited prior art. Independent claims 12 and 26 include similar distinguishing features as claim 1. Therefore, claims 12 and 26 are patentable over the cited prior art.

Claims 2, 3, 9-14, 20, 21 are directly or indirectly dependent upon independent claims 1 and 12. Therefore, claims 2, 3, 9-14, 20, 21 are patentable over the cited prior art.

Claims 4-8 and 15-19 have been objected. Claims 4-8 and 15-19 are directly or indirectly dependent upon claims 1 and 12. Therefore, claims 4-8 and 15-19 are patentable over the cited prior art.

Claims 22-25 have been allowed.

Claims 9, 20 and 26 were rejected under 35USC 103() as being unpatentable Silvester in view of Zhang et al (US 2003/0218672).

**Claim Rejections – 35 U.S.C. § 103(a)**

For the purpose of the following discussion, the Examiner is respectfully reminded of the basic considerations which apply to obviousness rejections.

When applying 35 U.S.C. §103, the following tenets of patent law must be adhered to:

- (A) The claimed invention must be considered as a whole;
- (B) The references must be considered as a whole and must suggest the desirability and thus the obviousness of making the combination;
- (C) The references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention; and
- (D) Reasonable expectation of success is the standard with which obviousness is determined. MPEP §2141.01, *Hodosh v. Block Drug Co., Inc.*, 786 F.2d 1136, 1134 n.5, 229 USPQ 182, 187 n.5 (Fed. Cir. 1986).

Silvestor in combination with Zhang does not provide any teachings of attaching a plurality of cameras to at least one arm portion coupled to the housing portion wherein the at least one arm portion is capable of being moved between a retracted position and a deployed position.

**CONCLUSION**

For the reasons given above, and after careful review of the cited reference, applicant respectfully submits that Silvester and/or Zhang do not result in, teach or suggest applicant's claimed invention.

In view of the above Remarks, applicant has addressed all issues raised in the Office Action dated 07 April 2005, and respectfully solicits a Notice of

Allowance for claims 1-27. Should any issues remain, the Examiner is encouraged to telephone the undersigned attorney.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicant believes that no fees are due; however, should any fee be deemed necessary in connection with this Amendment and Response, the Commissioner is authorized to charge deposit account 08-2025, referencing the Attorney Docket Number 200207889-1.

Respectfully submitted,

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